

Serial No.: 09/469,902  
Group Art Unit No.: 1625

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REMARKS

This amendment is submitted in response to a Notice of Non-Compliant Amendment (37 CFR 1.121) received in the subject case. The instant amendment clearly indicates that all of the previous claims have been deleted and that a new set of claims has been added. As such, a marked up version of previous claims is not required.

As indicated in applicant's previous amendment (dated March 14, 2001) the instant amendments are being made in order to put the application in condition for allowance by limiting the claimed subject matter to that which was identified as allowable during an interview between Examiner Chang and the undersigned attorney (on March 8, 2001) and which was indicated to be a single restrictable and patentably distinct category on the Interview Summary Report. Please note that the claims are amended herein so that all of the claims recite characteristic IR peaks of applicant's paroxetine methanesulfonate crystal form. As such, applicant's submit that the currently pending claims are patentable over the previously cited references. Applicants respectfully request a notice of allowance in the instant application as amended herein.

If any matters remain to be resolved before allowance, or if discussion of any matter will facilitate the prosecution of this application, the Examiner is invited to call the undersigned attorney at the number provided.

Respectfully submitted,



Wayne J. Dustman

Attorney for Applicants

Registration No. 33,870

SMITHKLINE BEECHAM CORPORATION  
Corporate Intellectual Property - UW2220  
P.O. Box 1539  
King of Prussia, PA 19406-0939  
Phone (610) 270-5023  
Facsimile (610) 270-5090

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**VERSION WITH MARKINGS TO SHOW CHANGES MADE**

This amendment deletes all of the previous claims and adds a new set of claims. As such, a marked up version of previous claims is not required.